

REMARKS

Applicant respectfully requests reconsideration.

Claims 1-13, 15, 16, 18-24, 26-28, 30, 32-34 and 38-40 were pending in this application. No Claims have been canceled. Claim 38 has been amended. No new claims have been added. Claims 1-13, 15, 16, 18-24, 26-28, 30, 32-34 and 38-40 are currently under examination. No new matter has been added.

Information Disclosure Statements

Applicants respectfully request that the Examiner consider and return the five Information Disclosure Statements filed July 30, 2003; December 3, 2003; December 4, 2003; April 14, 2004; and August 5, 2010.

Rejections under 35 U.S.C. § 101

Claims 38-40 stand rejected under 35 U.S.C. § 101 for purportedly being directed to non-statutory subject matter. Applicants have amended independent Claim 38 to address Examiner's concerns. Claims 39-40 depend from Claim 38. Accordingly, this rejection for Claims 38-40 should be withdrawn.

Rejections under 35 U.S.C. §103

Claims 1-3 and 18-20 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 6,573,926 (Ichimura) in view of U.S. Patent No. 6,463,078 (Engstrom). Applicants respectfully traverse the rejection because the references, whether considered alone or in combination, do not meet all limitations of any of the claims.

Before responding to the rejection, Applicants provide a brief summary of the Specification of the present application. This summary is not intended to characterize the claims or any of the terms used in the claims. This summary is not intended to dissuade the Examiner from reading the Specification in its entirety, which the Examiner is encouraged to do.

Briefly, the Specification relates to a peer-to-peer collaboration system where changes to shared data are communicated from a computer where changes are made to its peer computers participating in a collaborative session [0081]. The ultimate goal is to consistently order these changes regardless of which peer computer generated the change and when it is received by each

peer computers [0014]. In order to achieve this result, endpoint designations to newly invited members are assigned in a way that achieves at least two things: 1) The endpoint designation is indicative of the order in which the member joined, and 2) The endpoint designation indicates the existing member responsible for inviting the new member. [0112]. The collaboration system will use this information to order the messages each member receives regarding changes to the shared data [0113].

Independent Claim 1

Claim 1 is an independent claim. The Office Action asserts that Ichimura teaches “at least two of the plurality of computers... used by inviting members to [] independently assign unique designations to endpoints” at Col. 4, Lines 60-63. Ichimura however does not teach using “at least two of the plurality of computers” to perform this task. The reference specifically teaches a single “conference control device” which assigns unique identifiers to new participants. See Fig. 1; Col. 3, Lines 64-66; and Col. 4, 59-63. As the Examiner notes, Ichimura fails to teach “at least two of the plurality of computers in the peer-to-peer collaboration system.” Ichimura is not a peer-to-peer system. Rather, it is a client-server system. Thus it can not teach “*at least two* of the plurality of computers...*independently* assign unique designations to endpoints” because it is only the single “conference control device” server that handles the assignment of all identifiers.

Engstrom does not cure these deficiencies. Claims 1 requires “an invited member.” Neither Ichimura nor Engstrom discloses “members invited to join the telepace.” The Office Action asserts that Engstrom teaches this limitation at Col. 10, Lines 20-24. This is not so. The cited portion of the reference teaches sending a system message from a virtual player to announce status changes such as when a player quits or joins a session. In fact, in all of Engstrom’s teachings, there is no reference to “members invited to join the telepace.”

The Office Action also asserts that Engstrom teaches “each designation...comprising [] a value indicative of the order in which the invited member was invited” at Col. 10, Lines 3-7 and that said value is “indicative of the respective inviting member” at Col. 10, Lines 13-15. However, there is no teaching in the reference that the ID numbers have any indication of the “order in which the invited member was invited” or the “inviting member.” Engstrom simply teaches assigning ID

numbers to new players and sending messages to players to update them regarding status changes that have occurred.

Independent Claim 18

Claim 18 is also an independent claim. This claim requires “an invited member.” Neither Ichimura nor Engstrom discloses “inviting members to join the telepace.” The Office Action asserts that Engstrom teaches this limitation at Col. 10, Lines 20-24. This is not so. The cited portion of the reference teaches sending a system message from a virtual player to announce status changes such as when a player quits or joins a session. In fact, in all of Engstrom’s teachings, there is no reference to “members invited to join the telepace.”

The Office Action also asserts that Engstrom teaches “each designation...comprising a portion indicative of the order in which the member joined” at Col. 10, Lines 3-7 and “a portion indicative of an inviting member” at Col. 10, Lines 13-15. However, there is no teaching in the reference that the ID numbers have any indication of the “order in which the invited member was invited” or the “inviting member.” Engstrom simply teaches assigning ID numbers to new players and sending messages to players to update them regarding status changes that have occurred.

Dependent Claims 4-5 and 21-22

Claims 4-5 and 21-22 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over Ichimura in view of Engstrom, and further in view of U.S. Patent No. 5,828,843 (Grimm). Applicants respectfully traverse the rejection because the references, whether considered alone or in combination, do not meet all limitations of any of the claims.

Each of these claims depend from either Claim 1 or Claim 18, that are believed to be in condition for allowance. Grimm does not cure the deficiencies in Ichimura and Engstrom regarding independent Claims 1 and 18. Grimm relates to a matchmaking process for online gaming. The cited portion of the reference (Col. 10, Lines 48-56) discusses using the IP protocol to communicate between a client and a matchmaker. Therefore, the IP addressing scheme used in Grimm does not meet the limitations of claim 1 or 18 relating to “endpoint designation...indicative of the order” or “indicative of an inviting member.”

For at least the foregoing reasons Claims 4-5 and 21-22 are allowable. In addition, Grimm does not meet the limitations of these claims for which it is cited. For example, for the same reason stated above, Grimm does not teach endpoint designations that “indicate a chain of inviting members.”

Independent Claim 38 and Dependent Claims 39-40

Claims 38-40 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 6,353,596 (Grossglauser) in view of U.S. Patent No. 6,480,506 (Gubbi), and further in view of Engstrom.

The Office Action asserts that Grossglauser teaches “the invited member endpoint designation having a hierarchical representation” at Col. 11, Lines 52-57. Applicants point out that what is disclosed at the cited portion of the reference is not the “endpoint designation” itself “having a hierarchical representation,” but instead the tree that establishes the multipoint communication path is hierarchical. It is also important to note that the hierarchy in Grossglauser is not related to the “inviting member” or “when the invited member was invited to join” as the elements of Claim 38 require. Rather the hierarchy in the reference is only hierarchical in the sense of the communication paths stemming from an anchor at the core to each sender and receiver of the multicast group. See, e.g., Col. 3, Lines 31-34.

For at least the foregoing two reasons, Grossglauser does not teach all limitations of Claim 38. Gubbi does not cure these deficiencies. Gubbi teaches assigning subnet session IDs in a wireless network environment. See, e.g., Col. 6, Lines 32-67. The Office Action asserts that Gubbi teaches receiving “an invited member endpoint designation...identifying when the invited member was invited” at Col. 12, Lines 28-32 and Col. 4, Lines 28-32. However, the cited portion of the reference discusses using transmission times of *messages* in an intra-network communication protocol. There is no teachings in Gubbi of the identifiers themselves having “a second portion

identifying *when the invited member was invited* to join.” This data related to transmission times is not part of the “endpoint designation having a hierarchical representation.”

Neither individually nor together do Grossglauser, Gubbi and Engstrom teach all of the limitations of claim 38. Thus, Applicants believe the claim to be allowable and respectfully request withdrawal of this rejection.

Dependent claims 39-40 depend from claim 38, that is believed to be in condition for allowance, and Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

General Comments on Dependent Claims

Not all dependent claims were discussed in detail above. Each of the dependent claims depends from a base claim that is believed to be in condition for allowance, and Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith, to our Deposit Account No. 23/2825, under Docket No. M1103.70271US02 from which the undersigned is authorized to draw.

Dated: August 24, 2010

Respectfully submitted,

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